

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
APRIL 1, 2008
7:00 P.M.**

ROLLCALL Answering rollcall were Members Bennett, Housh, Masica, Swenson and Mayor Hovland.

CONSENT AGENDA ITEMS APPROVED Motion made by Member Bennett and seconded by Member Masica approving the Council Consent Agenda as presented with the exception of Item I. Minutes of Regular Meeting of March 18, 2008 and Item V. E. Resolution No. 2008-36 Authorizing Minnesota Pollution Control Grant for Fiscal Year 2008.

Rollcall:

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

APPROVAL OF MINUTES – REGULAR MEETING OF MARCH 18, 2008 Motion made by Member Masica and seconded by Member Swenson approving the Minutes of the Regular of March 18, 2008 as amended.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

***APPROVAL OF MINUTES - WORK SESSION OF MARCH 18, 2008** Motion made by Member Bennett and seconded by Member Masica approving the Minutes of the Work Session of March 18, 2008.

Motion carried on rollcall vote – five ayes.

APPEAL DENIED – PUBLIC HEALTH AND HOUSING CODE VIOLATIONS - EARL ISENSEE, 4617 GOLF TERRACE Affidavits of Notice presented and ordered placed on file.

Assistant Sanitarian Wilmot stated that on February 11, 2008 the Edina Police were called to Mr. Isensee's home to assist in the removal of a raccoon which entered the home through a hole in the roof. The police found that the gas stove was partially dismantled and paper was on the floor throughout the house. She said the police contacted Fire Marshal Tom Jenson, who found that the gas stove was properly disconnected. However, the conditions of the home resulted in Fire Marshal Jenson contacting the Edina Health Department for follow up.

Ms. Wilmot stated that she and a Public Health Nurse visited Mr. Isensee on February 20, 2008. They found there was no need for follow up from the nurse; however, City Code violations were found. Ms. Wilmot said Mr. Isensee was verbally informed that a written notice of the necessary corrections would be sent and a timeline for correction would be given.

Ms. Wilmot said February 26, 2008; Mr. Isensee was sent a notice via United States Mail, explaining the Edina City Code Section 725 violations of his home. She explained the notice was sent by regular mail addressed to Earl Isensee, Jr., 4617 Golf Terrace, Edina, MN 55424. After Mr. Isensee received the letter he notified Ms. Wilmot that his name was misspelled. Mr. Isensee sent his notice of appeal claiming the notice was invalid due to the misspelling. Ms. Wilmot said she checked with the City Attorney to verify whether a notice with corrected spelling was necessary. She reported Mr. Knutson determined additional notice was not necessary. Ms. Wilmot related that Mr. Isensee's concern was that the notice must be served upon an individual sent via certified or registered mail. She reported Mr. Knutson had determined the Code's language was awkward, but since Mr. Isensee had received his notice no jurisdictional issue existed. She stated staff recommended denial of the appeal.

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Earl Isensee, 4617 Golf Terrace, stated he had submitted a timely objection to the notice he received and added he believed the notice to be invalid because it had not been sent via certified or registered mail.

Mr. Knutson stated that since Mr. Isensee had received his notice it was not invalid and no jurisdictional issue existed. The Council asked questions of staff and Mr. Isensee regarding whether he objected to making the repairs and the timing of the repairs. Concern was noted that the Code language regarding notice should be reviewed for clarity.

Motion made by Member Swenson and seconded by Member Bennett to close the public hearing.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

Member Swenson made a motion stating that because Mr. Isensee acknowledged receiving actual notice of code violations the intent of the Code has been carried out and therefore the appeal was denied. Further, staff was directed to work with Mr. Isensee to accomplish the completion of the project. Member Housh seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

TEMPORARY INTOXICATING LIQUOR LICENSE AND SPECIAL PERMIT FOR USE OF CITY PROPERTY GRANTED – EDINA CHAMBER OF COMMERCE – TASTE OF EDINA Affidavits of Notice presented and ordered placed on file.

Chief Siitari stated the Chamber of Commerce applied for a temporary intoxicating liquor license and special use permit to hold the Taste of Edina event at the Centennial Lakes Park Centrum Building on May 1, 2008 from 4:30-7:30 PM. Mr. Siitari displayed a graphic showing the perimeters of the Centrum building where the proposed sale would take place. He said the Taste has been an annual event that has been very well run with no public safety issues. Mr. Siitari said under Edina's Code and Minnesota Statute, the applicants were eligible for the requested temporary on-sale intoxicating liquor license and have submitted plans to meet the special requirements of City Code, e.g. physical barriers to separate the licensed premises, police protection and age of servers. Mr. Siitari added that since the Chamber did not intend to serve hard liquor he recommended that the temporary license include the condition that the sale and consumption of liquor be limited to beer and wine.

No one appeared to comment.

Member Masica made a motion to close the public hearing. Member Housh seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

Member Masica moved and Member Swenson seconded the motion to grant a temporary on-sale liquor license to the Edina Chamber of Commerce for the Taste of Edina to be held at the Centennial Lakes Park Centrum, May 1, 2008, stipulating that the sale of alcohol be limited to wine and beer.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

PUBLIC COMMENT

No one appeared to comment.

***AWARD OF BID 2008 TREATMENT OF LAKES & PONDS** Motion made by Member Bennett and seconded by Member Masica awarding the bid for 2008 Treatment of Lakes and Ponds to the recommended low bidder, Lake Restoration, Inc. at \$15,071.50.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID 2008 GOLF BALLS – BRAEMAR COURSE DRIVING RANGE AND DOME** Motion made by Member Bennett and seconded by Member Masica awarding the bid for 2008 Golf Balls Braemar Course Driving Range and Dome to the recommended low bidder, Were & Betzen Sales at \$18,500.00.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID 2WD PICK UP TRUCK – EDINBOROUGH PARK** Motion made by Member Bennett and seconded by Member Masica awarding the bid for one 2WD Pick-up Truck for Edinborough Park to the recommended low bidder, Denny Hecker's Auto Mall, Pine City (State Contract#438678) at \$17,030.95.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID 18 PANASONIC RUGGEDIZED LAPTOP COMPUTERS – POLICE DEPARTMENT** Motion made by Member Bennett and seconded by Member Masica awarding the bid for 18 Panasonic ruggedized laptop computers for Edina Police Department to the recommended low bidder, Insight Public Sector (State Contract #436388) at \$70,403.74.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID HALF TON PICK UP – UTILITY DEPARTMENT** Motion made by Member Bennett and seconded by Member Masica awarding the bid for one half ton pick-up for Edina Utility Department to the recommended low bidder, Thane Hawkins Polar Chevrolet (State Contact #436607) at \$16,965.20.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID COMMODITIES PURCHASE - SAND, ROCK, BITUMINOUS MATERIALS, CONCRETE AND ENGINE OIL, AND WATER TREATMENT CHEMICALS** Motion made by Member Bennett and seconded by Member Masica awarding the bid for April 1, 2008 to March 31, 2009 commodities of sand, rock, bituminous materials, concrete, engine oil and water treatment chemicals to the recommended low bidders as follows: Coarse Washed Sand (delivered) to SA-AG at \$6.87 per ton; Cl.2 Limestone (delivered) to Kramer Mining & Materials at \$13.90 per ton; FA-2 Seal Coat Chips (delivered) to Kramer Mining & Materials at \$27.40 per ton; FA-2 Seal Coat Chips alternate bid to delivered to Dresser Trap Rock Inc. at \$35.65 per ton; *Asphalt 2350 Base Type 31 or 32 to Midwest Asphalt (delivered) at \$50.00 per ton or to Commercial Asphalt (picked up at plant) at \$40.30 per ton; *Asphalt 2350 Base Type 31 or 32 alternate bid (picked up) to Bituminous Roadways at \$43.40 per ton; *Asphalt 2350 Base Type 31 or 32 alternate bid (picked up) to CS McCrossan at \$39.00 per ton; *Asphalt 2350 Base Type 41 or 42 to Midwest Asphalt at \$52.25 per ton (delivered) or to Commercial Asphalt at \$42.50 per ton (picked up at plant); *Asphalt 2350 Base Type 41 or 42 alternate bid to Bituminous Roadways at \$44.70 per ton (picked up) or to CS McCrossan at \$45.00 per ton (picked up); *Asphalt 2350 Wear Type 41 or 42 to Midwest Asphalt at \$50.00 per ton (delivered) or to Commercial Asphalt at \$40.05 per ton (picked up at); *Asphalt 2350 Wear Type 41 or 42 alternate bid to Bituminous Roadways at \$43.50 per ton (picked up) or to CS McCrossan at \$44.00 per ton (picked up); *Asphalt 2360 Wear Type 31 or 32 to Midwest Asphalt at \$52.25 per ton (delivered) or to Commercial Asphalt at \$44.50 per ton (picked up at); *Asphalt 2350 Wear Type 41 or 42 alternate bid to Bituminous Roadways at \$52.20 per ton (picked up) or to CS McCrossan at \$45.00 per ton (picked up); Concrete 3 + yards (delivered) to Agg. Ind. /Eagan at \$98.65CY; Emulsified Asphalt CRS2 to Flint Hill Resources at \$1.41 per gallon; Emulsified Asphalt CRS2-P to Flint Hill Resources at \$1.44 per gallon; Emulsified Tack Oil to Flint Hill Resources at \$1.41 per gallon; Crack Joint Sealer #3723 to Astech Ind. at \$.46 per pound; Crack Joint Sealer #3725 to Astech Ind.

at \$0.47 per pound; Hydrofluosilicic Acid to Hawkins, Inc., at \$27.05/CWT; Liquid Chlorine to Hawkins, Inc., at \$36.93 per CWT; Water Treatment Chemical (Poly) to Hawkins, Inc., at \$5.47 per gallon; Tonkazorb3% to Hawkins Inc., at \$6.93 per gallon; Caustic Soda to DPC Industries at \$26.56 per CWT; Manhole Covers – Complete Casting to Ess Brothers & Sons, Inc., at \$941.00 each; Red Ball Aggregate to Bryan Rock at \$17.87 per ton; Lannon Stone Wall Repair to Bjork Stone at \$19.00 per square foot. (*These items are awarded on basis of total cost per ton including trucking and labor, and past year's performance.)

Motion carried on rollcall vote – five ayes.

***AWARD OF BID ALTITUDE VALVE FOR COMMUNITY CENTER WATER TOWER - UTILITY DEPARTMENT** Motion made by Member Bennett and seconded by Member Masica awarding the bid for altitude valve for the Community Center Water Tower Edina Utility Department to the recommended low bidder, Northwestern Power Equipment Co, Inc. at \$32,589.00.

Motion carried on rollcall vote – five ayes.

ORDINANCE NO. 2008-02 AMENDING SECTION 1100 REGARDING SEWER AND WATER CONNECTIONS CONTINUED TO APRIL 15, 2008 Engineer Houle reviewed the proposed ordinance pointing out changes made since Council granted the first reading at their February 19, 2008, meeting. Concern was expressed over the exception found in Section 1105.02 subd. 4 paragraph A. "Connections to City water or sewer system made pursuant to a fully approved and executed Developer's Agreement required by Subsection 810.12 of this Code." After discussion of the issue, **Member Swenson made a motion to continue until April 15, 2008, the consideration of second reading of Ordinance No. No. 2008-02 amending Section 1105 regarding sewer and water connection charges and amending Schedule A of Section 185 setting the connection fees.** Member Bennett seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

***HEARING DATE OF APRIL 15, 2008 SET - FINAL DEVELOPMENT PLAN, THOMAS BARBEAU, 7275 EAST BUSH LAKE ROAD, EDINA, MN AND REVISIONS TO COUNTRY CLUB DISTRICT PLAN OF TREATMENT AS SET OUT IN THE HERITAGE LANDMARK DESIGNATION.** Motion made by Member Bennett and seconded by Member Masica to set a Hearing Date of April 15, 2008, to consider a Final Development Plan and 4.3 foot variance to build an 11,000 square foot addition to the back of the existing building at 7275 Bush Lake Road and to consider revisions to the Country Club District Plan of Treatment as set out in the Heritage Landmark Designation.

Motion carried on rollcall vote – five ayes.

NORTH EAST EDINA & COUNTRY CLUB TRAFFIC SAFETY IMPROVEMENT MAILING MATERIALS REVIEWED Mr. Houle presented the proposed mailing materials for the Northeast Edina and Country Club Traffic Safety Improvement April 21, 2008 Public Hearing which included: public hearing notice/invitation, background information, map or residential area safety improvement master plan and comment card. Using a PowerPoint presentation he reviewed each item. Following the PowerPoint presentation the Council discussed the materials and edited them. Mr. Houle noted the changes on the presentation copies. He also noted that staff will put the street name onto the comment cards prior to sending them out. Mr. Houle said that only original comment cards will be counted. An open house will be hosted at Edina City Hall on April 9, 2008 with the formal public hearing scheduled for April 21, 2008 at 7:00 p.m. Mr. Houle said the mailing will be sent out by Friday, April 4th.

THOMAS BONNEVILLE APPOINTED FILLING VACANCY ON EDINA TRANSPORTATION COMMISSION Member Housh made a motion, seconded by Member Swenson appointing Thomas Bonneville to the vacant position on the Edina Transportation Commission for a term expiring February 1, 2009.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

RESOLUTION NO. 2008-36 ADOPTED AUTHORIZING MINNESOTA POLLUTION CONTROL GRANT FOR FISCAL YEAR 2008

Ms. Worthington noted Surya Iyer, Chair, Energy and Environment Commission would review the grant application. Mr. Iyer explained the Energy and Environment Commission prepared an application to the Minnesota Pollution Control Agency for the purpose of seeking a \$10,000 grant for technical assistance. Mr. Iyer noted when Edina created an Energy and Environment Commission in 2007 they signed the US Mayor's Climate Change Agreement and joined Local Governments for Sustainability (ICLEI). He said the goal of the grant project would be to help the Commission create a climate action plan to be adopted by the community that will lead to policies and self sustaining-actions. The multitude of climate change-related topics and approaches make creating such a plan daunting. Mr. Iyer said Edina's size makes it an ideal test ground for a climate change plan to be effectively coordinated with the Edina Chamber of Commerce and the Edina Public Schools. It would be expected that the funding from the grant would support action plans bringing together the three entities and to create organizational structures that would facilitate cooperation. A part of the project would be to coordinate neighborhood initiatives with the City's action plan. Mr. Iyer reported the EEC had already engaged with the Minnesota Climate Change Corps (CCC), and initiative of Minnesota Retired Engineers Tech Assistance Program (RETAP), to utilize their expertise in the Commission's efforts. Grant funding will support baseline and survey studies, publicity efforts, community education and outreach efforts, and joint projects with school/business/neighborhood groups (including faith-based institutions).

Motion of Member Bennett, seconded by member Swenson to adopt Resolution No. 2008-36 authorizing the Minnesota Pollution Control Grant for fiscal year 2008.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

NEW WINE LICENSE & ON-SALE 3.2 LICENSE COOKS OF CROCUS HILL ISSUED

City Clerk Mangen stated the Cooks of Crocus Hill, LLC dba Cooks of Crocus Hill made application for new Wine and 3.2 Beer On-Sale liquor licenses to operate Cooks of Crocus Hill to be located at 3925 West 50th Street. Ms. Mangen said they have filed the necessary paperwork and paid the applicable fees for a license. She said the reason for the new license was due to a change of ownership and restructuring of the organization.

Ms. Mangen stated the Administration, Health, Planning and Police Departments have reviewed the application and recommended approval of the requested licenses.

Member Swenson made a motion approving On-Sale Wine and 3.2 Beer Licenses to Cooks of Crocus Hill, LLC dba Cooks of Crocus Hill, 3925 West 50th Street, Edina, MN 55424 for the period beginning April 1, 2008 through March 31, 2009. Member Housh seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

RESOLUTION NO. 2008-35 APPROVED ACCEPTING VARIOUS DONATIONS Mayor Hovland explained in order to comply with State Statutes; all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations.

Member Masica introduced Resolution No. 2008-35 accepting various donations. Member Bennett seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

ORDINANCE NO. 2008-05 ADOPTED AMENDING SECTION 1225.05 OF EDINA CITY CODE ADDING A MEMBER TO THE EDINA TRANSPORTATION COMMISSION

Ms. Worthington said

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the Council granted first reading to Ordinance No. 2008-05 amending Section 1225.03 adding a member to the Edina Transportation Commission at their meeting March 18, 2008. Following a discussion the following language was proposed for Section 1 of Ordinance No. 2008-05:

"1225.03 Membership. The Commission shall consist of ten members appointed by the Council. The Council shall endeavor to appoint members such that the Commission is reflective of the different geographic areas of the City. One member of the Commission shall also be a member of the Planning Commission. One member of the Commission shall also be a member of the Bike Edina Task Force, or any existing similar organization, or shall otherwise have an expertise or interest in bicycling as a mode of transportation. One member of the Commission may be a high school student, who shall serve as a non-voting member of the Commission. Members shall serve until a successor has been appointed. All members of the Commission shall be residents of the City and shall be appointed for a term of three years except any student member shall be appointed for a term of one year, commencing on a date determined by the Council. Upon termination of a member's term, that member's successor shall be appointed for the remainder of such term. Members of the Commission shall serve without compensation and may resign voluntarily or be removed by a majority vote of the Council pursuant to Section 180 of this Code. Commission members who discontinue legal residency in the City may be removed from office by the Council."

Member Bennett made a motion to grant second reading to Ordinance No. 2008-05 amending section 1225.05 of Edina Code adding a member to the Edina Transportation Commission. Member Masica seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland
Motion carried.

***CONFIRMATION OF CLAIMS PAID Motion made by Member Bennett and seconded by Member Masica approving payment of the following claims as shown in detail on the Check Register dated March 20 2008, and consisting of 29 pages; General Fund \$160,592.61; CDBG Fund \$40.00; Communications Fund \$7,936.38; City Hall Debt Service \$1,000.00; Working Capital Fund \$62,730.71; Art Center Fund \$6,472.06; Golf Dome Fund \$21,796.46; Aquatic Center Fund \$434.03; Golf Course Fund \$16,695.69; Ice Arena Fund \$16,473.24; Edinborough/Centennial Lakes Fund \$20,815.78; Liquor Fund \$220,026.39; Utility Fund \$379,264.32; Storm Sewer Fund \$102.01; Recycling Fund \$35,380.00; PSTF Agency Fund \$12,583.54; TOTAL \$962,343.22 and for approval of payment of claims dated March 27, 2008, and consisting of 28 pages: General Fund \$775,561.17; Communications Fund \$7,355.20; Working Capital Fund \$340,308.67; Construction Fund \$712.50; Art Center Fund \$21,810.05; Golf Dome Fund \$1,333.57; Aquatic Center Fund \$614.94; Golf Course Fund \$6,498.97; Ice Arena Fund \$3,583.97; Edinborough/Centennial Lakes Fund \$7,685.56; Liquor Fund \$125,623.95; Utility Fund \$55,307.34; Storm Sewer \$9,112.40; TOTAL \$1,355,508.29 and for January 26, 2008 – February 25, 2008 Credit Card Transactions consisting of one page: Total \$2,783.54.**

Motion carried on rollcall vote – five ayes.

REVENUE BOND OVERVIEW Bond Counsel Jerry Gilligan, Dorsey & Whitney LLC, gave a brief overview of allowable revenue bond projects allowed under Minnesota law. He noted the City of Edina was authorized to issue revenue bonds to finance projects owned by private entities. Mr. Gilligan said Minnesota Statutes, Sections 469.152 to 469.165 broadly defined projects that were eligible for financing with revenue bonds issued under this statute to include any revenue producing enterprise other than any property to be sold and any housing facilities. Minnesota Statute, Chapter 462C authorized the issuance of revenue bonds for rental housing facilities. The Edina HRA was also authorized to issue revenue bonds under these statutes. Mr. Gilligan said state law gave broad authorization for the types of facilities that may be financed with revenue bonds, while federal law relating to the exemption of interest on bonds issued for private entities limited the types of facilities that may be financed with tax-exempt bonds.

Mr. Gilligan said while issuing revenue bonds on behalf of a private entity the City was acting as a "conduit" in order that interest on the bonds may be tax-exempt. The City loans the proceeds of the bonds to the private entity, which agrees to repay the loan in amounts sufficient to pay the principal and interest on the bonds when due. The loan repayments were pledged to the payment of the bonds and the City has no liability with respect to the bonds. In addition, the borrower pays all City expenses related to the bonds.

Mr. Gilligan stated the most typical types of private facilities financed in Minnesota with tax-exempt revenue bonds were hospitals, medical clinics, nursing homes, rental housing, assisted living facilities, private colleges and schools and other facilities owned and operated by non-profit tax-exempt organizations, and rental housing facilities for low and moderate income persons owned by for-profit entities and manufacturing facilities. He said over the years Edina has issued tax-exempt revenue bonds for Fairview Southdale Hospital on a number of occasions, as well as for Volunteers of America and Walker Elder Suites, and rental housing revenue bonds to finance Edina Park Plaza at Edinborough and Vernon Terrace. In addition to issuing revenue bonds, the City has consented to the issuance of revenue bonds by other cities to finance or refinance facilities in the City. This has been done for the Southdale YMCA, Fairview Southdale Hospital and Walker Elder Suites. The City's consent was required under state and federal law for the other municipality to issue the bonds.

Mr. Gilligan explained that in the cases where the City consented to bonds being issued in other cities, the bonds were issued to finance multiple facilities in different cities. By financing multiple facilities in one bond issue the borrower was able to achieve some economics of scale and reduce bond issuance expenses. Mr. Gilligan said the City does not have any liability with respect to the bonds; the issuance of bonds for non-profit tax-exempt organizations does count against the City's \$10 million annual limit on bank-qualified bonds under federal tax laws. Depending on the City's bond issuance plans for the year this may have consequences for the City and needs to be considered when approving the issuance of revenue bonds for non-profit organizations. He explained this issue would not apply when the City consents to the issuance of bonds by another city, since bonds issued by the other city will not count against the Edina's annual limit on bank-qualified bonds.

RESOLUTION NO. 2008-37 ADOPTED REGARDING PETITION RECEIVED REQUESTING REVERSE REFERENDUM Ms. Worthington said on March 19, 2008, and March 20, 2008, Kim Montgomery and Virginia Kearney presented to the City of Edina a petition consisting of 80 pages with 624 signatures stating the following:

"Petition to Present Capital Improvement Bond Issuance to Voters for Approval

On February 19, 2008, the City Council authorized issuing a \$14,000,000 Capital Improvement Bond by amending *City of Edina 2007-2011 Capital Improvement Program* (CIP). Per the original CIP, Capital Improvement Bond to be issued in 2008 was \$8,000,000.

M.S. 475.521(c) allows requesting that the Capital Improvement Bond issuance questions be presented to voters for approval. We petition the City of Edina to allow Edina voters to vote on approval of issuing said obligation.

Signer's oath: I affirm that I know the contents and purpose of this petition and I signed this petition only once and of my own free will."

Ms. Worthington said Edina had 26,270 voters cast ballots at the November 7, 2006, General Election. Five percent of those voters would be 1314 voters. She added the petition has not been verified as to whether the signers were registered voters. Ms. Worthington said Attorneys Gilligan and Knutson both opined that the last General Election in Edina was that of November 2006, therefore, the petition did not contain the number of signatures required to hold an election. She said staff recommended the Council adopt a resolution memorializing the findings and their decision.

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The Council discussed the issue and noted their concerns including the statutory definition of general election and the vagueness of the statute relating to capital improvement bonds. It was noted the concerned citizens would have an opportunity to speak to the issue at the May 6, 2008 public hearing on the proposed redevelopment. **Member Swenson made a motion to adopt Resolution No. 2008-37 finding the petition does not have the required number of signatures to require an election.** Member Housh seconded the motion.

Ayes: Bennett, Housh, Masica, Swenson, Hovland

Motion carried.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 10:40 p.m.

Respectfully submitted,

Debra A. Mangel, City Clerk